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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,455	10/11/2001	Akihiko Toyoshima	50P4257.02	9916

7590 09/13/2006

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EXAMINER

PHUNKULH, BOB A

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 09/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

SA

<b>Office Action Summary</b>	<b>Application No.</b> 09/976,455	<b>Applicant(s)</b> TOYOSHIMA, AKIHIKO	
	<b>Examiner</b> Bob A. Phunkulh	<b>Art Unit</b> 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 June 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16 and 20 is/are allowed.
- 6) ☒ Claim(s) 1-15 and 17-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/8/2006</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-15, 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by *Kolls et al.* (US 6,389,337), hereinafter *Kolls*.

Regarding claim 1, *Kolls* discloses a home network, comprising:

two or more host devices, where at least one host device includes a wireless module port, and where the host devices are connected in a local network (a COM devices comprises of at least a LAN interface see col. 29 lines 1-13); and

a wireless module connected to the wireless module port of a host device, where the wireless module provides a wireless connection to an external network (any of Com device 100, see figure 3C; figure 3 shows the COM device in detail; the COM device includes a PCMCIA compatible wireless device for wireless communications on any wireless technology, network, system, see col. 27 line 49 to col. 28 line 4; the COM device 10 is further provides a wireless connection to an Internet 362, see figure 2C);  
where at least one host device is a consumer appliance (see col. 9 lines 22-43).

Regarding claim 2, *Kolls* discloses a host device that is not connected to the wireless module is configured to send data to the host device that is connected to the wireless module to be sent to the external network (see col. 20 lines 28-35).

Regarding claim 3, *Kolls* where the host device that is connected to the wireless module is configured to send data from the external network to a host device that is not connected to the wireless module (see col. 20 lines 28-35).

Regarding claim 4, *Kolls* discloses where the external network is the Internet (Internet 362, see figure 2C).

Regarding claim 5, *Kolls* discloses where one host device is a television (inherent feature; a television may be connected to the COM device via RS232/RS485 interface 116 or general purpose inputs and outputs 118 as shown in figure 3).

Regarding claim 6, *Kolls* where one host device is an audio system (see col. 27 lines 1-26).

Regarding claim 7, *Kolls* discloses where one host device is a refrigerator (see col. 9 lines 27-43).

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Regarding claim 8, *Kolls* discloses where the wireless module and the wireless module port are compatible with a PCMCIA interface (see col. 27 lines 62 to col. 28 line 4; col. 28 lines 32-36).

Regarding claim 9, *Kolls* discloses where the wireless module and the wireless module port are compatible with a Memory Stick interface (general purpose inputs and output, inherent feature).

Regarding claim 10, *Kolls* discloses where the wireless module and the wireless module port are compatible with a Bluetooth interface (see col. 28 lines 1-4).

Regarding claim 11, *Kolls* inherently discloses where a host device (the communication devices in figures 1K-1M) connected to a wireless module is a home network portal and the home network portal comprises:

- a wireless module port for communicating with the wireless module;
- a home network portal control connected to the wireless module port;
- a home network interface connected to the home network portal control and to at least one host device through the local network; and
- a host device functionality block connected to the home network interface.

Regarding claim 12, *Kolls* discloses where the wireless module comprises: an antenna (antenna 122);

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a duplexer connected to the antenna (not shown in the figures 3 or 4);

a transmitter connected to the duplexer for providing signals to the antenna; a receiver connected to the duplexer for receiving signals from the antenna;

a baseband signal processor connected to the transmitter and to the receiver (the DSP 154, see figures 3 or 4);

a microprocessor connected to the baseband signal processor for controlling the wireless module (microcontroller 130, see figures 3 or 4);

a memory connected to the microprocessor (serial EEROM 108, see figure 3);

and

an input/output interface connected to the microprocessor for communicating with a host device (any of the RS232/RS485 interface 116, general purpose inputs and outputs interface 118, PDA interface 120, carrier current interface 132, see figures 3 and 4).

Regarding claim 13, *Kolls* discloses where the local network is a wireless network (see col. 29 lines 1-13).

Regarding claim 14, *Kolls* discloses where the local network is an Ethernet network (see col. 29 lines 1-13).

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Regarding claim 15, *Kolls* where the local network is an IEEE 1394 network (see col. 29 lines 1-13).

Regarding claims 18-19, *Kolls* discloses a method of receiving/transmitting data in a home network through a home network portal, comprising:

receiving data from an external network at a home network portal, where the home network portal has a connected wireless module and is a host device in a home network including multiple host devices (the COM device 100 receives data from the Internet 362 further forward the data to the PC for other devices as shown in figures 1A-1J; and figures 3-4);

determining which host device in the home network is a destination host device for the data (each of the host device must have unique IP address assigned by DHCP server in order to determine the data destination; the COM devices connect Internet using TCP connection, see col. 21 lines 46-53) and

sending data from the home network portal to the destination host device (the incoming data are route to their destination according to their unique IP address, see col. 11 lines 45-65);

where at least one host device is a consumer appliance (see col. 9 lines 32-33).

### ***Allowable Subject Matter***

Claims 16 and 20 are allowed.

### ***Conclusion***

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The following address mail to be delivered by the United States Postal Service (USPS) only:

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220 20<sup>th</sup> Street South  
Customer Window, Mail Stop \_\_\_\_\_  
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Arlington, VA 22202.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bob A. Phunkulh** whose telephone number is **(571) 272-3083**. The examiner can normally be reached on Monday-Tuesday from 8:00 A.M. to 5:00 P.M. (first week of the bi-week) and Monday-Friday (for second week of the bi-week).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor **Wellington Chin**, can be reach on **(571) 272-3134**. The fax phone number for this group is **(571) 273-8300**.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Bob A. Phunkulh  
Primary Examiner  
TC 2600  
*Technology Division 2616*  
*September 05, 2006*

**BOB PHUNKULH**  
**PRIMARY EXAMINER**